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LAW/RWH

P.L.2014, CHAPTER 58, *approved September 10, 2014*
Assembly, No. 2851 (*First Reprint*)

1 AN ACT concerning reports of contributions and expenditures by
2 certain candidates and amending P.L.1973, c.83.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 16 of P.L.1973, c.83 (C.19:44A-16) is amended to
8 read as follows:

9 16. a. The campaign treasurer of each candidate committee and
10 joint candidates committee shall make a full cumulative report,
11 upon a form prescribed by the Election Law Enforcement
12 Commission, of all contributions in the form of moneys, loans, paid
13 personal services or other things of value, made to him or to the
14 deputy campaign treasurers of the candidate committee or joint
15 candidates committee, and all expenditures paid out of the election
16 fund of the candidate or candidates, during the period ending with
17 the second day preceding the date of the cumulative report and
18 beginning on the date of the first of those contributions, the date of
19 the first of those expenditures, or the date of the appointment of the
20 campaign treasurer, whichever occurred first. The report shall also
21 contain the name and mailing address of each person or group from
22 whom moneys, loans, paid personal services or other things of value
23 were contributed after the second day preceding the date of the
24 previous cumulative report and the amount contributed by each
25 person or group, and where an individual has made such
26 contributions, the report shall indicate the occupation of the
27 individual and the name and mailing address of the individual's
28 employer. In the case of any loan reported pursuant to this section,
29 the report shall further contain the name and mailing address of
30 each person who cosigns such loan, the occupation of the person
31 and the name and mailing address of the person's employer. If no
32 moneys, loans, paid personal services or other things of value were
33 contributed, the report shall so indicate, and if no expenditures were
34 paid or incurred, the report shall likewise so indicate. The
35 campaign treasurer and the candidate or several candidates shall
36 certify the correctness of the report.

37 b. During the period between the appointment of the campaign
38 treasurer and the election with respect to which contributions are
39 accepted or expenditures made by him, the campaign treasurer shall
40 file his cumulative campaign report (1) on the 29th day preceding

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AJU committee amendments adopted June 12, 2014.

1 the election, and (2) on the 11th day preceding the election; and
2 after the election he shall file his report on the 20th day following
3 such election. Concurrent with the report filed on the 20th day
4 following an election, or at any time thereafter, the campaign
5 treasurer of a candidate committee or joint candidates committee
6 may certify to the Election Law Enforcement Commission that the
7 election fund of such candidate committee or joint candidates
8 committee has wound up its business and been dissolved, or that
9 business regarding the late election has been wound up but the
10 candidate committee or joint candidates committee will continue for
11 the deposit and use of contributions in accordance with section 17
12 of P.L.1993, c.65 (C.19:44A-11.2). Certification shall be
13 accompanied by a final accounting of such election fund, or of the
14 transactions relating to such election, including the final disposition
15 of any balance remaining in such fund at the time of dissolution or
16 the arrangements which have been made for the discharge of any
17 obligations remaining unpaid at the time of dissolution. Until the
18 candidate committee or joint candidates committee is dissolved,
19 each such treasurer shall continue to file reports in the form and
20 manner herein prescribed.

21 The Election Law Enforcement Commission shall promulgate
22 regulations providing for the termination of post-election campaign
23 reporting requirements applicable to political committees, candidate
24 committees and joint candidates committees. The requirements to
25 file quarterly reports after the first post-election report may be
26 waived by the commission, notwithstanding that the certification
27 has not been filed, if the commission determines under any
28 regulations so promulgated that the outstanding obligations of the
29 political committee, candidate committee or joint candidates
30 committee do not exceed 10% of the expenditures of the campaign
31 fund with respect to the election or \$1,000.00, whichever is less, or
32 are likely to be discharged or forgiven.

33 A candidate committee or joint candidates committee shall file
34 with the Election Law Enforcement Commission, not later than
35 April 15, July 15, October 15 of each calendar year in which the
36 candidate or candidates in control of the committee does or do not
37 run for election or reelection and January 15 of each calendar year
38 in which the candidate or candidates does or do run for election or
39 reelection, a cumulative quarterly report of all moneys, loans, paid
40 personal services or other things of value contributed to it or to the
41 candidate or candidates during the period ending on the 15th day
42 preceding that date and commencing on January 1 of that calendar
43 year or, in the case of the cumulative quarterly report to be filed not
44 later than January 15, of the previous calendar year, and all
45 expenditures made, incurred, or authorized by it or the candidate or
46 candidates during the period, whether or not such expenditures were
47 made, incurred or authorized in furtherance of the election or defeat
48 of any candidate, or in aid of the passage or defeat of any public

1 question or to provide information on any candidate or public
2 question. The commission may by regulation require any such
3 candidate committee or joint candidates committee to file during
4 any calendar year one or more additional cumulative reports of such
5 contributions received and expenditures made as may be necessary
6 to ensure that no more than five months shall elapse between the
7 last day of a period covered by one such report and the last day of
8 the period covered by the next such report.

9 The commission, on any form it shall prescribe for the reporting
10 of expenditures by a candidate committee or joint candidates
11 committee, shall provide for the grouping together of all
12 expenditures under the category of "campaign expenses" under
13 paragraph (1) of subsection a. of section 17 of P.L.1993, c.65,
14 identified as such, and for the grouping together, separately, of all
15 other expenditures under the categories prescribed by paragraphs
16 (2) through (6) of that subsection. The cumulative quarterly report
17 due on April 15 in a year immediately after the year in which the
18 candidate or candidates does or do run for election or reelection
19 shall contain a report of all of the contributions received and
20 expenditures made by the candidate or candidates since the 18th day
21 after that election.

22 The cumulative quarterly report shall contain the name and
23 mailing address of each person or group from whom moneys, loans,
24 paid personal services or other things of value have been
25 contributed and the amount contributed by each person or group,
26 and where an individual has made such contributions, the report
27 shall indicate the occupation of the individual and the name and
28 mailing address of the individual's employer. In the case of any
29 loan reported pursuant to this section, the report shall contain the
30 name and address of each person who cosigns such loan, and where
31 an individual has cosigned such loans, the report shall indicate the
32 occupation of the individual and the name and mailing address of
33 his employer. The report shall also contain the name and address of
34 each person, firm or organization to whom expenditures have been
35 paid and the amount and purpose of each such expenditure. The
36 treasurer of the candidate committee or joint candidates committee
37 and the candidate or candidates shall certify to the correctness of
38 each cumulative quarterly report.

39 c. **【In the case of an election of a candidate for an office**
40 **electd by a municipal or countywide constituency or a school**
41 **district a duplicate copy of the campaign treasurer's report, duly**
42 **certified, shall be filed at the same time with the county clerk of the**
43 **county in which the candidate resides and the county clerk shall**
44 **retain a written record of that filing for a period of not less than four**
45 **years following the date of the election】¹**【(Deleted by amendment,**
46 **P.L. _____, c. _____ (pending before the Legislature as this bill)】** **No**
47 **candidate for elective public office shall be required to file a****

1 duplicate copy of the campaign treasurer's report with the county
2 clerk of the county in which the candidate resides¹.

3 d. There shall be no obligation to file the reports required by
4 this section on behalf of a candidate if such candidate files with the
5 Election Law Enforcement Commission a sworn statement to the
6 effect that the total amount to be expended in behalf of his
7 candidacy by the candidate committee, by any political party
8 committee, by any political committee, or by any person shall not in
9 the aggregate exceed \$2,000.00 or \$4,000 for any joint candidates
10 committee containing two candidates or \$6,000 for any joint
11 candidates committee containing three or more candidates. The
12 sworn statement may be submitted at the time when the name and
13 address of the campaign treasurer and depository is filed with the
14 Election Law Enforcement Commission, provided that in any case
15 the sworn statement is filed no later than the 29th day before an
16 election. If a candidate who has filed such a sworn statement
17 receives contributions from any one source aggregating more than
18 \$300 he shall forthwith make report of the same, including the name
19 and mailing address of the source and the aggregate total of
20 contributions therefrom, and where the source is an individual, the
21 occupation of the individual and the name and mailing address of
22 the individual's employer, to the Election Law Enforcement
23 Commission. The \$300 limit established in this subsection shall
24 remain as stated in this subsection without further adjustment by the
25 commission in the manner prescribed by section 22 of
26 P.L.1993, c.65 (C.19:44A-7.2).

27 e. There shall be no obligation imposed upon a candidate
28 seeking election to a public office of a school district to file either
29 the reports required under subsection b. of this section or the sworn
30 statement referred to in subsection d. of this section, if the total
31 amount expended and to be expended in behalf of his candidacy by
32 the candidate committee, any political committee, any continuing
33 political committee, or a political party committee or by any person,
34 does not in the aggregate exceed \$2,000.00 per election or \$4,000
35 for any joint candidates committee containing two candidates or
36 \$6,000 for any joint candidates committee containing three or more
37 candidates; provided, that if such candidate receives contributions
38 from any one source aggregating more than \$300, he shall forthwith
39 make a report of the same, including the name and mailing address
40 of the source, the aggregate total of contributions therefrom, and
41 where the source is an individual, the occupation of the individual
42 and the name and mailing address of the individual's employer, to
43 the commission.

44 The \$300 limit established in this subsection shall remain as
45 stated in this subsection without further adjustment by the
46 commission in the manner prescribed by section 22 of
47 P.L.1993, c.65 (C.19:44A-7.2).

1 f. In any report filed pursuant to the provisions of this section,
2 the names and addresses of contributors whose contributions during
3 the period covered by the report did not exceed \$300 may be
4 excluded; provided, however, that (1) such exclusion is unlawful if
5 any person responsible for the preparation or filing of the report
6 knew that such exclusion was made with respect to any person
7 whose total contributions relating to the same election and made to
8 the reporting candidate or to an allied campaign organization or
9 organizations aggregate, in combination with the total contributions
10 in respect of which such exclusion is made, more than \$300, and (2)
11 any person who knowingly prepares, assists in preparing, files or
12 acquiesces in the filing of any report from which the identity of any
13 contributor has been excluded contrary to the provisions of this
14 section is subject to the provisions of section 21 of this act, but (3)
15 nothing in this proviso shall be construed as requiring any candidate
16 committee or joint candidates committee reporting pursuant to this
17 act to report the amounts, dates or other circumstantial data
18 regarding contributions made to any other candidate committee,
19 joint candidates committee, political committee, continuing political
20 committee, political party committee or legislative leadership
21 committee.

22 The \$300 limit established in this subsection shall remain as
23 stated in this subsection without further adjustment by the
24 commission in the manner prescribed by section 22 of
25 P.L.1993, c.65 (C.19:44A-7.2).

26 g. Any report filed pursuant to the provisions of this section
27 shall include an itemized accounting of all receipts and
28 expenditures relative to any testimonial affair held since the date of
29 the most recent report filed, which accounting shall include the
30 name and mailing address of each contributor in excess of \$300 to
31 such testimonial affair and the amount contributed by each; in the
32 case of any individual contributor, the occupation of the individual
33 and the name and mailing address of the individual's employer; the
34 expenses incurred; and the disposition of the proceeds of such
35 testimonial affair.

36 The \$300 limit established in this subsection shall remain as
37 stated in this subsection without further adjustment by the
38 commission in the manner prescribed by section 22 of
39 P.L.1993, c.65 (C.19:44A-7.2).

40 h. (Deleted by amendment, P.L.1993, c.65.)

41 i. Each campaign treasurer of a candidate committee or joint
42 candidates committee shall file written notice with the commission
43 of a contribution in excess of \$500 received during the period
44 between the 13th day prior to the election and the date of the
45 election and of an expenditure of money or other thing of value in
46 excess of \$800 made, incurred or authorized by the candidate
47 committee or joint candidates committee to support or defeat a
48 candidate in an election, or to aid the passage or defeat of any

1 public question, during the period between the 13th day prior to the
2 election and the date of the election, provided that a candidate shall
3 not be required to file written notice pursuant to this subsection of
4 an expenditure made to support his or her own candidacy, or to
5 support or defeat a candidate for the same office in an election. For
6 the purposes of this subsection, the offices of member of the Senate
7 and member of the General Assembly shall be deemed to be the
8 same office in a legislative district; the offices of member of the
9 board of chosen freeholders and county executive shall be deemed
10 to be the same office in a county; and the offices of mayor and
11 member of the municipal governing body shall be deemed to be the
12 same office in a municipality.

13 The notice of a contribution shall be filed in writing or by
14 telegram within 48 hours of the receipt of the contribution and shall
15 set forth the amount and date of the contribution, the name and
16 mailing address of the contributor, and where the contributor is an
17 individual, the occupation of the individual and the name and
18 mailing address of the individual's employer. The notice of an
19 expenditure shall be filed in writing or by telegram within 48 hours
20 of the making, incurring or authorization of the expenditure and
21 shall set forth the name and mailing address of the person, firm or
22 organization to whom or which the expenditure was paid and the
23 amount and purpose of the expenditure.

24 j. Each county shall provide on its Internet ¹["website"] site¹ a
25 link to the ¹["website"] Internet site¹ for the Election Law
26 Enforcement Commission for the purpose of providing public
27 access to the reports that are required to be submitted to the
28 commission pursuant to ¹this¹ section ¹["16 of
29 P.L.1973, c.83 (C.19:44A-16)]¹.
30 (cf: P.L.2004, c.33, s.3)

31

32 2. This act shall take effect on January 1 following the date of
33 enactment.

34

35

36

37

38 Eliminates requirement that candidates file with county clerk
39 duplicate copy of report of contributions and expenditures; requires
40 each county provide link to ELEC on county Internet site.

ASSEMBLY, No. 2851

STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED MARCH 10, 2014

Sponsored by:

Assemblyman CRAIG J. COUGHLIN

District 19 (Middlesex)

Assemblywoman NANCY J. PINKIN

District 18 (Middlesex)

Assemblyman JOHN F. MCKEON

District 27 (Essex and Morris)

SYNOPSIS

Eliminates requirement that certain candidates file with county clerk duplicate copy of report of contributions and expenditures; requires each county to provide link to ELEC website on county website.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/9/2014)

1 AN ACT concerning reports of contributions and expenditures by
2 certain candidates and amending P.L.1973, c.83.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 16 of P.L.1973, c.83 (C.19:44A-16) is amended to
8 read as follows:

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10 joint candidates committee shall make a full cumulative report,
11 upon a form prescribed by the Election Law Enforcement
12 Commission, of all contributions in the form of moneys, loans, paid
13 personal services or other things of value, made to him or to the
14 deputy campaign treasurers of the candidate committee or joint
15 candidates committee, and all expenditures paid out of the election
16 fund of the candidate or candidates, during the period ending with
17 the second day preceding the date of the cumulative report and
18 beginning on the date of the first of those contributions, the date of
19 the first of those expenditures, or the date of the appointment of the
20 campaign treasurer, whichever occurred first. The report shall also
21 contain the name and mailing address of each person or group from
22 whom moneys, loans, paid personal services or other things of value
23 were contributed after the second day preceding the date of the
24 previous cumulative report and the amount contributed by each
25 person or group, and where an individual has made such
26 contributions, the report shall indicate the occupation of the
27 individual and the name and mailing address of the individual's
28 employer. In the case of any loan reported pursuant to this section,
29 the report shall further contain the name and mailing address of
30 each person who cosigns such loan, the occupation of the person
31 and the name and mailing address of the person's employer. If no
32 moneys, loans, paid personal services or other things of value were
33 contributed, the report shall so indicate, and if no expenditures were
34 paid or incurred, the report shall likewise so indicate. The
35 campaign treasurer and the candidate or several candidates shall
36 certify the correctness of the report.

37 b. During the period between the appointment of the campaign
38 treasurer and the election with respect to which contributions are
39 accepted or expenditures made by him, the campaign treasurer shall
40 file his cumulative campaign report (1) on the 29th day preceding
41 the election, and (2) on the 11th day preceding the election; and
42 after the election he shall file his report on the 20th day following
43 such election. Concurrent with the report filed on the 20th day
44 following an election, or at any time thereafter, the campaign
45 treasurer of a candidate committee or joint candidates committee

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 may certify to the Election Law Enforcement Commission that the
2 election fund of such candidate committee or joint candidates
3 committee has wound up its business and been dissolved, or that
4 business regarding the late election has been wound up but the
5 candidate committee or joint candidates committee will continue for
6 the deposit and use of contributions in accordance with section 17
7 of P.L.1993, c.65 (C.19:44A-11.2). Certification shall be
8 accompanied by a final accounting of such election fund, or of the
9 transactions relating to such election, including the final disposition
10 of any balance remaining in such fund at the time of dissolution or
11 the arrangements which have been made for the discharge of any
12 obligations remaining unpaid at the time of dissolution. Until the
13 candidate committee or joint candidates committee is dissolved,
14 each such treasurer shall continue to file reports in the form and
15 manner herein prescribed.

16 The Election Law Enforcement Commission shall promulgate
17 regulations providing for the termination of post-election campaign
18 reporting requirements applicable to political committees, candidate
19 committees and joint candidates committees. The requirements to
20 file quarterly reports after the first post-election report may be
21 waived by the commission, notwithstanding that the certification
22 has not been filed, if the commission determines under any
23 regulations so promulgated that the outstanding obligations of the
24 political committee, candidate committee or joint candidates
25 committee do not exceed 10% of the expenditures of the campaign
26 fund with respect to the election or \$1,000.00, whichever is less, or
27 are likely to be discharged or forgiven.

28 A candidate committee or joint candidates committee shall file
29 with the Election Law Enforcement Commission, not later than
30 April 15, July 15, October 15 of each calendar year in which the
31 candidate or candidates in control of the committee does or do not
32 run for election or reelection and January 15 of each calendar year
33 in which the candidate or candidates does or do run for election or
34 reelection, a cumulative quarterly report of all moneys, loans, paid
35 personal services or other things of value contributed to it or to the
36 candidate or candidates during the period ending on the 15th day
37 preceding that date and commencing on January 1 of that calendar
38 year or, in the case of the cumulative quarterly report to be filed not
39 later than January 15, of the previous calendar year, and all
40 expenditures made, incurred, or authorized by it or the candidate or
41 candidates during the period, whether or not such expenditures were
42 made, incurred or authorized in furtherance of the election or defeat
43 of any candidate, or in aid of the passage or defeat of any public
44 question or to provide information on any candidate or public
45 question. The commission may by regulation require any such
46 candidate committee or joint candidates committee to file during
47 any calendar year one or more additional cumulative reports of such
48 contributions received and expenditures made as may be necessary

1 to ensure that no more than five months shall elapse between the
2 last day of a period covered by one such report and the last day of
3 the period covered by the next such report.

4 The commission, on any form it shall prescribe for the reporting
5 of expenditures by a candidate committee or joint candidates
6 committee, shall provide for the grouping together of all
7 expenditures under the category of "campaign expenses" under
8 paragraph (1) of subsection a. of section 17 of P.L.1993, c.65,
9 identified as such, and for the grouping together, separately, of all
10 other expenditures under the categories prescribed by paragraphs
11 (2) through (6) of that subsection. The cumulative quarterly report
12 due on April 15 in a year immediately after the year in which the
13 candidate or candidates does or do run for election or reelection
14 shall contain a report of all of the contributions received and
15 expenditures made by the candidate or candidates since the 18th day
16 after that election.

17 The cumulative quarterly report shall contain the name and
18 mailing address of each person or group from whom moneys, loans,
19 paid personal services or other things of value have been
20 contributed and the amount contributed by each person or group,
21 and where an individual has made such contributions, the report
22 shall indicate the occupation of the individual and the name and
23 mailing address of the individual's employer. In the case of any
24 loan reported pursuant to this section, the report shall contain the
25 name and address of each person who cosigns such loan, and where
26 an individual has cosigned such loans, the report shall indicate the
27 occupation of the individual and the name and mailing address of
28 his employer. The report shall also contain the name and address of
29 each person, firm or organization to whom expenditures have been
30 paid and the amount and purpose of each such expenditure. The
31 treasurer of the candidate committee or joint candidates committee
32 and the candidate or candidates shall certify to the correctness of
33 each cumulative quarterly report.

34 c. **【**In the case of an election of a candidate for an office
35 elected by a municipal or countywide constituency or a school
36 district a duplicate copy of the campaign treasurer's report, duly
37 certified, shall be filed at the same time with the county clerk of the
38 county in which the candidate resides and the county clerk shall
39 retain a written record of that filing for a period of not less than four
40 years following the date of the election**】** (Deleted by amendment,
41 P.L. , c.) (pending before the Legislature as this bill).

42 d. There shall be no obligation to file the reports required by
43 this section on behalf of a candidate if such candidate files with the
44 Election Law Enforcement Commission a sworn statement to the
45 effect that the total amount to be expended in behalf of his
46 candidacy by the candidate committee, by any political party
47 committee, by any political committee, or by any person shall not in
48 the aggregate exceed \$2,000.00 or \$4,000 for any joint candidates

1 committee containing two candidates or \$6,000 for any joint
2 candidates committee containing three or more candidates. The
3 sworn statement may be submitted at the time when the name and
4 address of the campaign treasurer and depository is filed with the
5 Election Law Enforcement Commission, provided that in any case
6 the sworn statement is filed no later than the 29th day before an
7 election. If a candidate who has filed such a sworn statement
8 receives contributions from any one source aggregating more than
9 \$300 he shall forthwith make report of the same, including the name
10 and mailing address of the source and the aggregate total of
11 contributions therefrom, and where the source is an individual, the
12 occupation of the individual and the name and mailing address of
13 the individual's employer, to the Election Law Enforcement
14 Commission. The \$300 limit established in this subsection shall
15 remain as stated in this subsection without further adjustment by the
16 commission in the manner prescribed by section 22 of
17 P.L.1993, c.65 (C.19:44A-7.2).

18 e. There shall be no obligation imposed upon a candidate
19 seeking election to a public office of a school district to file either
20 the reports required under subsection b. of this section or the sworn
21 statement referred to in subsection d. of this section, if the total
22 amount expended and to be expended in behalf of his candidacy by
23 the candidate committee, any political committee, any continuing
24 political committee, or a political party committee or by any person,
25 does not in the aggregate exceed \$2,000.00 per election or \$4,000
26 for any joint candidates committee containing two candidates or
27 \$6,000 for any joint candidates committee containing three or more
28 candidates; provided, that if such candidate receives contributions
29 from any one source aggregating more than \$300, he shall forthwith
30 make a report of the same, including the name and mailing address
31 of the source, the aggregate total of contributions therefrom, and
32 where the source is an individual, the occupation of the individual
33 and the name and mailing address of the individual's employer, to
34 the commission.

35 The \$300 limit established in this subsection shall remain as
36 stated in this subsection without further adjustment by the
37 commission in the manner prescribed by section 22 of
38 P.L.1993, c.65 (C.19:44A-7.2).

39 f. In any report filed pursuant to the provisions of this section,
40 the names and addresses of contributors whose contributions during
41 the period covered by the report did not exceed \$300 may be
42 excluded; provided, however, that (1) such exclusion is unlawful if
43 any person responsible for the preparation or filing of the report
44 knew that such exclusion was made with respect to any person
45 whose total contributions relating to the same election and made to
46 the reporting candidate or to an allied campaign organization or
47 organizations aggregate, in combination with the total contributions
48 in respect of which such exclusion is made, more than \$300, and (2)

1 any person who knowingly prepares, assists in preparing, files or
2 acquiesces in the filing of any report from which the identity of any
3 contributor has been excluded contrary to the provisions of this
4 section is subject to the provisions of section 21 of this act, but (3)
5 nothing in this proviso shall be construed as requiring any candidate
6 committee or joint candidates committee reporting pursuant to this
7 act to report the amounts, dates or other circumstantial data
8 regarding contributions made to any other candidate committee,
9 joint candidates committee, political committee, continuing political
10 committee, political party committee or legislative leadership
11 committee.

12 The \$300 limit established in this subsection shall remain as
13 stated in this subsection without further adjustment by the
14 commission in the manner prescribed by section 22 of
15 P.L.1993, c.65 (C.19:44A-7.2).

16 g. Any report filed pursuant to the provisions of this section
17 shall include an itemized accounting of all receipts and
18 expenditures relative to any testimonial affair held since the date of
19 the most recent report filed, which accounting shall include the
20 name and mailing address of each contributor in excess of \$300 to
21 such testimonial affair and the amount contributed by each; in the
22 case of any individual contributor, the occupation of the individual
23 and the name and mailing address of the individual's employer; the
24 expenses incurred; and the disposition of the proceeds of such
25 testimonial affair.

26 The \$300 limit established in this subsection shall remain as
27 stated in this subsection without further adjustment by the
28 commission in the manner prescribed by section 22 of
29 P.L.1993, c.65 (C.19:44A-7.2).

30 h. (Deleted by amendment, P.L.1993, c.65.)

31 i. Each campaign treasurer of a candidate committee or joint
32 candidates committee shall file written notice with the commission
33 of a contribution in excess of \$500 received during the period
34 between the 13th day prior to the election and the date of the
35 election and of an expenditure of money or other thing of value in
36 excess of \$800 made, incurred or authorized by the candidate
37 committee or joint candidates committee to support or defeat a
38 candidate in an election, or to aid the passage or defeat of any
39 public question, during the period between the 13th day prior to the
40 election and the date of the election, provided that a candidate shall
41 not be required to file written notice pursuant to this subsection of
42 an expenditure made to support his or her own candidacy, or to
43 support or defeat a candidate for the same office in an election. For
44 the purposes of this subsection, the offices of member of the Senate
45 and member of the General Assembly shall be deemed to be the
46 same office in a legislative district; the offices of member of the
47 board of chosen freeholders and county executive shall be deemed
48 to be the same office in a county; and the offices of mayor and

1 member of the municipal governing body shall be deemed to be the
2 same office in a municipality.

3 The notice of a contribution shall be filed in writing or by
4 telegram within 48 hours of the receipt of the contribution and shall
5 set forth the amount and date of the contribution, the name and
6 mailing address of the contributor, and where the contributor is an
7 individual, the occupation of the individual and the name and
8 mailing address of the individual's employer. The notice of an
9 expenditure shall be filed in writing or by telegram within 48 hours
10 of the making, incurring or authorization of the expenditure and
11 shall set forth the name and mailing address of the person, firm or
12 organization to whom or which the expenditure was paid and the
13 amount and purpose of the expenditure.

14 j. Each county shall provide on its Internet website a link to
15 the website for the Election Law Enforcement Commission for the
16 purpose of providing public access to the reports that are required to
17 be submitted to the commission pursuant to section 16 of
18 P.L.1973, c.83 (C.19:44A-16).

19 (cf: P.L.2004, c.33, s.3)

20

21 2. This act shall take effect on January 1 following the date of
22 enactment.

23

24

25

STATEMENT

26

27 This bill would eliminate the requirements that a candidate for an
28 office elected by a municipal or countywide constituency or a
29 school district must file a duplicate copy of the campaign
30 treasurer's report, duly certified, with the county clerk of the county
31 in which the candidate resides and that the county clerk retain a
32 written record of the filing for a period of not less than four years
33 following the date of the election.

34 The bill also requires that each county provide on its Internet
35 website a link to the Election Law Enforcement Commission
36 website so that members of the public may have access to the
37 candidates' reports of expenditures and contributions that are
38 required to be submitted to the commission.

ASSEMBLY JUDICIARY COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2851

with committee amendments

STATE OF NEW JERSEY

DATED: JUNE 12, 2014

The Assembly Judiciary Committee reports favorably and with committee amendments Assembly Bill No. 2851.

Under current law, a candidate for an office elected by a municipal or countywide constituency or a school district must file a duplicate copy of the campaign treasurer's report with the county clerk of the county in which the candidate resides and the county clerk must retain a written record of the filing for at least four years following the date of the election. This bill would eliminate these requirements as they are duplicative; this information is required to be filed with the Election Law Enforcement Commission (ELEC) and is available on the ELEC website.

The bill as amended also requires each county to provide on its Internet site a link to the Internet site for the Election Law Enforcement Commission in order facilitate access by members of the public to the candidates' reports of expenditures and contributions.

The committee amendments add language specifying that no candidate for elective public office shall be required to file a duplicate copy of the campaign treasurer's report with the county clerk of the county in which the candidate resides. The amendments also make minor language changes concerning the requirement for the link to the Internet site.

COMMITTEE AMENDMENTS:

1. Specify in subsection c. of section 1 of the bill, which amends section 16 of P.L.1973, c.83 (C.19:44A-16), that no candidate for elective public office shall be required to file a duplicate copy of the campaign treasurer's report with the county clerk of the county in which the candidate resides.

2. Make minor language changes to subsection j. of section 1 of the bill concerning the link to the ELEC Internet site.

SENATE, No. 390

STATE OF NEW JERSEY 216th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2014 SESSION

Sponsored by:

Senator NICHOLAS P. SCUTARI

District 22 (Middlesex, Somerset and Union)

SYNOPSIS

Eliminates requirement that certain candidates file with county clerk duplicate copy of report of contributions and expenditures; requires each county to provide link to ELEC website on county website.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



S390 SCUTARI

2

1 AN ACT concerning reports of contributions and expenditures by
2 certain candidates and amending P.L.1973, c.83.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6

7 1. Section 16 of P.L.1973, c.83 (C.19:44A-16) is amended to
8 read as follows:

9 16. a. The campaign treasurer of each candidate committee and
10 joint candidates committee shall make a full cumulative report,
11 upon a form prescribed by the Election Law Enforcement
12 Commission, of all contributions in the form of moneys, loans, paid
13 personal services or other things of value, made to him or to the
14 deputy campaign treasurers of the candidate committee or joint
15 candidates committee, and all expenditures paid out of the election
16 fund of the candidate or candidates, during the period ending with
17 the second day preceding the date of the cumulative report and
18 beginning on the date of the first of those contributions, the date of
19 the first of those expenditures, or the date of the appointment of the
20 campaign treasurer, whichever occurred first. The report shall also
21 contain the name and mailing address of each person or group from
22 whom moneys, loans, paid personal services or other things of value
23 were contributed after the second day preceding the date of the
24 previous cumulative report and the amount contributed by each
25 person or group, and where an individual has made such
26 contributions, the report shall indicate the occupation of the
27 individual and the name and mailing address of the individual's
28 employer. In the case of any loan reported pursuant to this section,
29 the report shall further contain the name and mailing address of
30 each person who cosigns such loan, the occupation of the person
31 and the name and mailing address of the person's employer. If no
32 moneys, loans, paid personal services or other things of value were
33 contributed, the report shall so indicate, and if no expenditures were
34 paid or incurred, the report shall likewise so indicate. The
35 campaign treasurer and the candidate or several candidates shall
36 certify the correctness of the report.

37 b. During the period between the appointment of the campaign
38 treasurer and the election with respect to which contributions are
39 accepted or expenditures made by him, the campaign treasurer shall
40 file his cumulative campaign report (1) on the 29th day preceding
41 the election, and (2) on the 11th day preceding the election; and
42 after the election he shall file his report on the 20th day following
43 such election. Concurrent with the report filed on the 20th day
44 following an election, or at any time thereafter, the campaign
45 treasurer of a candidate committee or joint candidates committee

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

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1 may certify to the Election Law Enforcement Commission that the
2 election fund of such candidate committee or joint candidates
3 committee has wound up its business and been dissolved, or that
4 business regarding the late election has been wound up but the
5 candidate committee or joint candidates committee will continue for
6 the deposit and use of contributions in accordance with section 17
7 of P.L.1993, c.65 (C.19:44A-11.2). Certification shall be
8 accompanied by a final accounting of such election fund, or of the
9 transactions relating to such election, including the final disposition
10 of any balance remaining in such fund at the time of dissolution or
11 the arrangements which have been made for the discharge of any
12 obligations remaining unpaid at the time of dissolution. Until the
13 candidate committee or joint candidates committee is dissolved,
14 each such treasurer shall continue to file reports in the form and
15 manner herein prescribed.

16 The Election Law Enforcement Commission shall promulgate
17 regulations providing for the termination of post-election campaign
18 reporting requirements applicable to political committees, candidate
19 committees and joint candidates committees. The requirements to
20 file quarterly reports after the first post-election report may be
21 waived by the commission, notwithstanding that the certification
22 has not been filed, if the commission determines under any
23 regulations so promulgated that the outstanding obligations of the
24 political committee, candidate committee or joint candidates
25 committee do not exceed 10% of the expenditures of the campaign
26 fund with respect to the election or \$1,000.00, whichever is less, or
27 are likely to be discharged or forgiven.

28 A candidate committee or joint candidates committee shall file
29 with the Election Law Enforcement Commission, not later than
30 April 15, July 15, October 15 of each calendar year in which the
31 candidate or candidates in control of the committee does or do not
32 run for election or reelection and January 15 of each calendar year
33 in which the candidate or candidates does or do run for election or
34 reelection, a cumulative quarterly report of all moneys, loans, paid
35 personal services or other things of value contributed to it or to the
36 candidate or candidates during the period ending on the 15th day
37 preceding that date and commencing on January 1 of that calendar
38 year or, in the case of the cumulative quarterly report to be filed not
39 later than January 15, of the previous calendar year, and all
40 expenditures made, incurred, or authorized by it or the candidate or
41 candidates during the period, whether or not such expenditures were
42 made, incurred or authorized in furtherance of the election or defeat
43 of any candidate, or in aid of the passage or defeat of any public
44 question or to provide information on any candidate or public
45 question. The commission may by regulation require any such
46 candidate committee or joint candidates committee to file during
47 any calendar year one or more additional cumulative reports of such

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1 contributions received and expenditures made as may be necessary
2 to ensure that no more than five months shall elapse between the
3 last day of a period covered by one such report and the last day of
4 the period covered by the next such report.

5 The commission, on any form it shall prescribe for the reporting
6 of expenditures by a candidate committee or joint candidates
7 committee, shall provide for the grouping together of all
8 expenditures under the category of "campaign expenses" under
9 paragraph (1) of subsection a. of section 17 of P.L.1993, c.65,
10 identified as such, and for the grouping together, separately, of all
11 other expenditures under the categories prescribed by paragraphs
12 (2) through (6) of that subsection. The cumulative quarterly report
13 due on April 15 in a year immediately after the year in which the
14 candidate or candidates does or do run for election or reelection
15 shall contain a report of all of the contributions received and
16 expenditures made by the candidate or candidates since the 18th day
17 after that election.

18 The cumulative quarterly report shall contain the name and
19 mailing address of each person or group from whom moneys, loans,
20 paid personal services or other things of value have been
21 contributed and the amount contributed by each person or group,
22 and where an individual has made such contributions, the report
23 shall indicate the occupation of the individual and the name and
24 mailing address of the individual's employer. In the case of any
25 loan reported pursuant to this section, the report shall contain the
26 name and address of each person who cosigns such loan, and where
27 an individual has cosigned such loans, the report shall indicate the
28 occupation of the individual and the name and mailing address of
29 his employer. The report shall also contain the name and address of
30 each person, firm or organization to whom expenditures have been
31 paid and the amount and purpose of each such expenditure. The
32 treasurer of the candidate committee or joint candidates committee
33 and the candidate or candidates shall certify to the correctness of
34 each cumulative quarterly report.

35 c. **【**In the case of an election of a candidate for an office
36 elected by a municipal or countywide constituency or a school
37 district a duplicate copy of the campaign treasurer's report, duly
38 certified, shall be filed at the same time with the county clerk of the
39 county in which the candidate resides and the county clerk shall
40 retain a written record of that filing for a period of not less than four
41 years following the date of the election**】** (Deleted by amendment,
42 P.L. , c.) (pending before the Legislature as this bill).

43 d. There shall be no obligation to file the reports required by
44 this section on behalf of a candidate if such candidate files with the
45 Election Law Enforcement Commission a sworn statement to the
46 effect that the total amount to be expended in behalf of his
47 candidacy by the candidate committee, by any political party

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1 committee, by any political committee, or by any person shall not in
2 the aggregate exceed \$2,000.00 or \$4,000 for any joint candidates
3 committee containing two candidates or \$6,000 for any joint
4 candidates committee containing three or more candidates. The
5 sworn statement may be submitted at the time when the name and
6 address of the campaign treasurer and depository is filed with the
7 Election Law Enforcement Commission, provided that in any case
8 the sworn statement is filed no later than the 29th day before an
9 election. If a candidate who has filed such a sworn statement
10 receives contributions from any one source aggregating more than
11 \$300 he shall forthwith make report of the same, including the name
12 and mailing address of the source and the aggregate total of
13 contributions therefrom, and where the source is an individual, the
14 occupation of the individual and the name and mailing address of
15 the individual's employer, to the Election Law Enforcement
16 Commission. The \$300 limit established in this subsection shall
17 remain as stated in this subsection without further adjustment by the
18 commission in the manner prescribed by section 22 of P.L.1993,
19 c.65 (C.19:44A-7.2).

20 e. There shall be no obligation imposed upon a candidate
21 seeking election to a public office of a school district to file either
22 the reports required under subsection b. of this section or the sworn
23 statement referred to in subsection d. of this section, if the total
24 amount expended and to be expended in behalf of his candidacy by
25 the candidate committee, any political committee, any continuing
26 political committee, or a political party committee or by any person,
27 does not in the aggregate exceed \$2,000.00 per election or \$4,000
28 for any joint candidates committee containing two candidates or
29 \$6,000 for any joint candidates committee containing three or more
30 candidates; provided, that if such candidate receives contributions
31 from any one source aggregating more than \$300, he shall forthwith
32 make a report of the same, including the name and mailing address
33 of the source, the aggregate total of contributions therefrom, and
34 where the source is an individual, the occupation of the individual
35 and the name and mailing address of the individual's employer, to
36 the commission.

37 The \$300 limit established in this subsection shall remain as
38 stated in this subsection without further adjustment by the
39 commission in the manner prescribed by section 22 of P.L.1993,
40 c.65 (C.19:44A-7.2).

41 f. In any report filed pursuant to the provisions of this section,
42 the names and addresses of contributors whose contributions during
43 the period covered by the report did not exceed \$300 may be
44 excluded; provided, however, that (1) such exclusion is unlawful if
45 any person responsible for the preparation or filing of the report
46 knew that such exclusion was made with respect to any person
47 whose total contributions relating to the same election and made to

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1 the reporting candidate or to an allied campaign organization or
2 organizations aggregate, in combination with the total contributions
3 in respect of which such exclusion is made, more than \$300, and (2)
4 any person who knowingly prepares, assists in preparing, files or
5 acquiesces in the filing of any report from which the identity of any
6 contributor has been excluded contrary to the provisions of this
7 section is subject to the provisions of section 21 of this act, but (3)
8 nothing in this proviso shall be construed as requiring any candidate
9 committee or joint candidates committee reporting pursuant to this
10 act to report the amounts, dates or other circumstantial data
11 regarding contributions made to any other candidate committee,
12 joint candidates committee, political committee, continuing political
13 committee, political party committee or legislative leadership
14 committee.

15 The \$300 limit established in this subsection shall remain as
16 stated in this subsection without further adjustment by the
17 commission in the manner prescribed by section 22 of P.L.1993,
18 c.65 (C.19:44A-7.2).

19 g. Any report filed pursuant to the provisions of this section
20 shall include an itemized accounting of all receipts and
21 expenditures relative to any testimonial affair held since the date of
22 the most recent report filed, which accounting shall include the
23 name and mailing address of each contributor in excess of \$300 to
24 such testimonial affair and the amount contributed by each; in the
25 case of any individual contributor, the occupation of the individual
26 and the name and mailing address of the individual's employer; the
27 expenses incurred; and the disposition of the proceeds of such
28 testimonial affair.

29 The \$300 limit established in this subsection shall remain as
30 stated in this subsection without further adjustment by the
31 commission in the manner prescribed by section 22 of P.L.1993,
32 c.65 (C.19:44A-7.2).

33 h. (Deleted by amendment, P.L.1993, c.65.)

34 i. Each campaign treasurer of a candidate committee or joint
35 candidates committee shall file written notice with the commission
36 of a contribution in excess of \$500 received during the period
37 between the 13th day prior to the election and the date of the
38 election and of an expenditure of money or other thing of value in
39 excess of \$800 made, incurred or authorized by the candidate
40 committee or joint candidates committee to support or defeat a
41 candidate in an election, or to aid the passage or defeat of any
42 public question, during the period between the 13th day prior to the
43 election and the date of the election, provided that a candidate shall
44 not be required to file written notice pursuant to this subsection of
45 an expenditure made to support his or her own candidacy, or to
46 support or defeat a candidate for the same office in an election. For
47 the purposes of this subsection, the offices of member of the Senate

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1 and member of the General Assembly shall be deemed to be the
2 same office in a legislative district; the offices of member of the
3 board of chosen freeholders and county executive shall be deemed
4 to be the same office in a county; and the offices of mayor and
5 member of the municipal governing body shall be deemed to be the
6 same office in a municipality.

7 The notice of a contribution shall be filed in writing or by
8 telegram within 48 hours of the receipt of the contribution and shall
9 set forth the amount and date of the contribution, the name and
10 mailing address of the contributor, and where the contributor is an
11 individual, the occupation of the individual and the name and
12 mailing address of the individual's employer. The notice of an
13 expenditure shall be filed in writing or by telegram within 48 hours
14 of the making, incurring or authorization of the expenditure and
15 shall set forth the name and mailing address of the person, firm or
16 organization to whom or which the expenditure was paid and the
17 amount and purpose of the expenditure.

18 j. Each county shall provide on its Internet website a link to
19 the website for the Election Law Enforcement Commission for the
20 purpose of providing public access to the reports that are required to
21 be submitted to the commission pursuant to section 16 of P.L.1973,
22 c.83 (C.19:44A-16).

23 (cf: P.L.2004, c.33, s.3)

24
25 2. This act shall take effect on January 1 following the date of
26 enactment.

27

28

29

STATEMENT

30

31 This bill would eliminate the requirements that a candidate for an
32 office elected by a municipal or countywide constituency or a
33 school district must file a duplicate copy of the campaign
34 treasurer's report, duly certified, with the county clerk of the county
35 in which the candidate resides and that the county clerk retain a
36 written record of the filing for a period of not less than four years
37 following the date of the election.

38 The bill also requires that each county provide on its Internet
39 website a link to the Election Law Enforcement Commission
40 website so that members of the public may have access to the
41 candidates' reports of expenditures and contributions that are
42 required to be submitted to the commission.

SENATE STATE GOVERNMENT, WAGERING, TOURISM &
HISTORIC PRESERVATION COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, Nos. 390 and 621

STATE OF NEW JERSEY

DATED: MARCH 24, 2014

The Senate State Government, Wagering, Tourism and Historic Preservation Committee reports favorably Senate Committee Substitute for Bill Nos. 390 and 621.

Under current law, a candidate for an office elected by a municipal or countywide constituency or a school district must file a duplicate copy of the campaign treasurer's report, duly certified, with the county clerk of the county in which the candidate resides and that the county clerk retain a written record of the filing for a period of not less than four years following the date of the election.

This substitute would eliminate this requirement and provide instead that no candidate for any elective public office would be required to file a duplicate copy of the campaign treasurer's report with the county clerk of the county in which the candidate resides.

The substitute also requires that each county provide on its Internet website a link to the Election Law Enforcement Commission website so that members of the public may have access to the candidates' reports of expenditures and contributions that are required to be submitted to the commission.

SENATE, No. 621

STATE OF NEW JERSEY 216th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2014 SESSION

Sponsored by:

Senator SAMUEL D. THOMPSON

District 12 (Burlington, Middlesex, Monmouth and Ocean)

SYNOPSIS

Eliminates requirement that candidate campaign treasurer reports be filed with county clerk for legislative, local and school board candidates.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



S621 THOMPSON

2

1 AN ACT concerning the campaign reports filed by the treasurers of
2 candidates for certain elective offices, and amending P.L.1973,
3 c.83.
4

5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:
7

8 1. Section 16 of P.L.1973, c.83 (C.19:44A-16) is amended to
9 read as follows:

10 16. a. The campaign treasurer of each candidate committee and
11 joint candidates committee shall make a full cumulative report,
12 upon a form prescribed by the Election Law Enforcement
13 Commission, of all contributions in the form of moneys, loans, paid
14 personal services or other things of value, made to him or to the
15 deputy campaign treasurers of the candidate committee or joint
16 candidates committee, and all expenditures paid out of the election
17 fund of the candidate or candidates, during the period ending with
18 the second day preceding the date of the cumulative report and
19 beginning on the date of the first of those contributions, the date of
20 the first of those expenditures, or the date of the appointment of the
21 campaign treasurer, whichever occurred first. The report shall also
22 contain the name and mailing address of each person or group from
23 whom moneys, loans, paid personal services or other things of value
24 were contributed after the second day preceding the date of the
25 previous cumulative report and the amount contributed by each
26 person or group, and where an individual has made such
27 contributions, the report shall indicate the occupation of the
28 individual and the name and mailing address of the individual's
29 employer. In the case of any loan reported pursuant to this section,
30 the report shall further contain the name and mailing address of
31 each person who cosigns such loan, the occupation of the person
32 and the name and mailing address of the person's employer. If no
33 moneys, loans, paid personal services or other things of value were
34 contributed, the report shall so indicate, and if no expenditures were
35 paid or incurred, the report shall likewise so indicate. The
36 campaign treasurer and the candidate or several candidates shall
37 certify the correctness of the report.

38 b. During the period between the appointment of the campaign
39 treasurer and the election with respect to which contributions are
40 accepted or expenditures made by him, the campaign treasurer shall
41 file his cumulative campaign report (1) on the 29th day preceding
42 the election, and (2) on the 11th day preceding the election; and
43 after the election he shall file his report on the 20th day following
44 such election. Concurrent with the report filed on the 20th day
45 following an election, or at any time thereafter, the campaign

EXPLANATION – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

1 treasurer of a candidate committee or joint candidates committee
2 may certify to the Election Law Enforcement Commission that the
3 election fund of such candidate committee or joint candidates
4 committee has wound up its business and been dissolved, or that
5 business regarding the late election has been wound up but the
6 candidate committee or joint candidates committee will continue for
7 the deposit and use of contributions in accordance with section 17
8 of P.L.1993, c.65 (C.19:44A-11.2). Certification shall be
9 accompanied by a final accounting of such election fund, or of the
10 transactions relating to such election, including the final disposition
11 of any balance remaining in such fund at the time of dissolution or
12 the arrangements which have been made for the discharge of any
13 obligations remaining unpaid at the time of dissolution. Until the
14 candidate committee or joint candidates committee is dissolved,
15 each such treasurer shall continue to file reports in the form and
16 manner herein prescribed.

17 The Election Law Enforcement Commission shall promulgate
18 regulations providing for the termination of post-election campaign
19 reporting requirements applicable to political committees, candidate
20 committees and joint candidates committees. The requirements to
21 file quarterly reports after the first post-election report may be
22 waived by the commission, notwithstanding that the certification
23 has not been filed, if the commission determines under any
24 regulations so promulgated that the outstanding obligations of the
25 political committee, candidate committee or joint candidates
26 committee do not exceed 10% of the expenditures of the campaign
27 fund with respect to the election or \$1,000.00, whichever is less, or
28 are likely to be discharged or forgiven.

29 A candidate committee or joint candidates committee shall file
30 with the Election Law Enforcement Commission, not later than
31 April 15, July 15, October 15 of each calendar year in which the
32 candidate or candidates in control of the committee does or do not
33 run for election or reelection and January 15 of each calendar year
34 in which the candidate or candidates does or do run for election or
35 reelection, a cumulative quarterly report of all moneys, loans, paid
36 personal services or other things of value contributed to it or to the
37 candidate or candidates during the period ending on the 15th day
38 preceding that date and commencing on January 1 of that calendar
39 year or, in the case of the cumulative quarterly report to be filed not
40 later than January 15, of the previous calendar year, and all
41 expenditures made, incurred, or authorized by it or the candidate or
42 candidates during the period, whether or not such expenditures were
43 made, incurred or authorized in furtherance of the election or defeat
44 of any candidate, or in aid of the passage or defeat of any public
45 question or to provide information on any candidate or public
46 question. The commission may by regulation require any such
47 candidate committee or joint candidates committee to file during

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1 any calendar year one or more additional cumulative reports of such
2 contributions received and expenditures made as may be necessary
3 to ensure that no more than five months shall elapse between the
4 last day of a period covered by one such report and the last day of
5 the period covered by the next such report.

6 The commission, on any form it shall prescribe for the reporting
7 of expenditures by a candidate committee or joint candidates
8 committee, shall provide for the grouping together of all
9 expenditures under the category of "campaign expenses" under
10 paragraph (1) of subsection a. of section 17 of P.L.1993, c.65,
11 identified as such, and for the grouping together, separately, of all
12 other expenditures under the categories prescribed by paragraphs
13 (2) through (6) of that subsection. The cumulative quarterly report
14 due on April 15 in a year immediately after the year in which the
15 candidate or candidates does or do run for election or reelection
16 shall contain a report of all of the contributions received and
17 expenditures made by the candidate or candidates since the 18th day
18 after that election.

19 The cumulative quarterly report shall contain the name and
20 mailing address of each person or group from whom moneys, loans,
21 paid personal services or other things of value have been
22 contributed and the amount contributed by each person or group,
23 and where an individual has made such contributions, the report
24 shall indicate the occupation of the individual and the name and
25 mailing address of the individual's employer. In the case of any
26 loan reported pursuant to this section, the report shall contain the
27 name and address of each person who cosigns such loan, and where
28 an individual has cosigned such loans, the report shall indicate the
29 occupation of the individual and the name and mailing address of
30 his employer. The report shall also contain the name and address of
31 each person, firm or organization to whom expenditures have been
32 paid and the amount and purpose of each such expenditure. The
33 treasurer of the candidate committee or joint candidates committee
34 and the candidate or candidates shall certify to the correctness of
35 each cumulative quarterly report.

36 c. **【**In the case of an election of a candidate for an office
37 elected by a municipal or countywide constituency or a school
38 district a duplicate copy of the campaign treasurer's report, duly
39 certified, shall be filed at the same time with the county clerk of the
40 county in which the candidate resides and the county clerk shall
41 retain a written record of that filing for a period of not less than four
42 years following the date of the election.**】 Deleted by amendment,**
43 P.L. , c. (pending before the Legislature as this bill).

44 d. There shall be no obligation to file the reports required by
45 this section on behalf of a candidate if such candidate files with the
46 Election Law Enforcement Commission a sworn statement to the
47 effect that the total amount to be expended in behalf of his

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1 candidacy by the candidate committee, by any political party
2 committee, by any political committee, or by any person shall not in
3 the aggregate exceed \$2,000.00 or \$4,000 for any joint candidates
4 committee containing two candidates or \$6,000 for any joint
5 candidates committee containing three or more candidates. The
6 sworn statement may be submitted at the time when the name and
7 address of the campaign treasurer and depository is filed with the
8 Election Law Enforcement Commission, provided that in any case
9 the sworn statement is filed no later than the 29th day before an
10 election. If a candidate who has filed such a sworn statement
11 receives contributions from any one source aggregating more than
12 \$300 he shall forthwith make report of the same, including the name
13 and mailing address of the source and the aggregate total of
14 contributions therefrom, and where the source is an individual, the
15 occupation of the individual and the name and mailing address of
16 the individual's employer, to the Election Law Enforcement
17 Commission. The \$300 limit established in this subsection shall
18 remain as stated in this subsection without further adjustment by the
19 commission in the manner prescribed by section 22 of P.L.1993,
20 c.65 (C.19:44A-7.2).

21 e. There shall be no obligation imposed upon a candidate
22 seeking election to a public office of a school district to file either
23 the reports required under subsection b. of this section or the sworn
24 statement referred to in subsection d. of this section, if the total
25 amount expended and to be expended in behalf of his candidacy by
26 the candidate committee, any political committee, any continuing
27 political committee, or a political party committee or by any person,
28 does not in the aggregate exceed \$2,000.00 per election or \$4,000
29 for any joint candidates committee containing two candidates or
30 \$6,000 for any joint candidates committee containing three or more
31 candidates; provided, that if such candidate receives contributions
32 from any one source aggregating more than \$300, he shall forthwith
33 make a report of the same, including the name and mailing address
34 of the source, the aggregate total of contributions therefrom, and
35 where the source is an individual, the occupation of the individual
36 and the name and mailing address of the individual's employer, to
37 the commission.

38 The \$300 limit established in this subsection shall remain as
39 stated in this subsection without further adjustment by the
40 commission in the manner prescribed by section 22 of P.L.1993,
41 c.65 (C.19:44A-7.2).

42 f. In any report filed pursuant to the provisions of this section,
43 the names and addresses of contributors whose contributions during
44 the period covered by the report did not exceed \$300 may be
45 excluded; provided, however, that (1) such exclusion is unlawful if
46 any person responsible for the preparation or filing of the report
47 knew that such exclusion was made with respect to any person

1 whose total contributions relating to the same election and made to
2 the reporting candidate or to an allied campaign organization or
3 organizations aggregate, in combination with the total contributions
4 in respect of which such exclusion is made, more than \$300, and (2)
5 any person who knowingly prepares, assists in preparing, files or
6 acquiesces in the filing of any report from which the identity of any
7 contributor has been excluded contrary to the provisions of this
8 section is subject to the provisions of section 21 of this act, but (3)
9 nothing in this proviso shall be construed as requiring any candidate
10 committee or joint candidates committee reporting pursuant to this
11 act to report the amounts, dates or other circumstantial data
12 regarding contributions made to any other candidate committee,
13 joint candidates committee, political committee, continuing political
14 committee, political party committee or legislative leadership
15 committee.

16 The \$300 limit established in this subsection shall remain as
17 stated in this subsection without further adjustment by the
18 commission in the manner prescribed by section 22 of P.L.1993,
19 c.65 (C.19:44A-7.2).

20 g. Any report filed pursuant to the provisions of this section
21 shall include an itemized accounting of all receipts and
22 expenditures relative to any testimonial affair held since the date of
23 the most recent report filed, which accounting shall include the
24 name and mailing address of each contributor in excess of \$300 to
25 such testimonial affair and the amount contributed by each; in the
26 case of any individual contributor, the occupation of the individual
27 and the name and mailing address of the individual's employer; the
28 expenses incurred; and the disposition of the proceeds of such
29 testimonial affair.

30 The \$300 limit established in this subsection shall remain as
31 stated in this subsection without further adjustment by the
32 commission in the manner prescribed by section 22 of P.L.1993,
33 c.65 (C.19:44A-7.2).

34 h. (Deleted by amendment, P.L.1993, c.65.)

35 i. Each campaign treasurer of a candidate committee or joint
36 candidates committee shall file written notice with the commission
37 of a contribution in excess of \$500 received during the period
38 between the 13th day prior to the election and the date of the
39 election and of an expenditure of money or other thing of value in
40 excess of \$800 made, incurred or authorized by the candidate
41 committee or joint candidates committee to support or defeat a
42 candidate in an election, or to aid the passage or defeat of any
43 public question, during the period between the 13th day prior to the
44 election and the date of the election, provided that a candidate shall
45 not be required to file written notice pursuant to this subsection of
46 an expenditure made to support his or her own candidacy, or to
47 support or defeat a candidate for the same office in an election. For

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1 the purposes of this subsection, the offices of member of the Senate
2 and member of the General Assembly shall be deemed to be the
3 same office in a legislative district; the offices of member of the
4 board of chosen freeholders and county executive shall be deemed
5 to be the same office in a county; and the offices of mayor and
6 member of the municipal governing body shall be deemed to be the
7 same office in a municipality.

8 The notice of a contribution shall be filed in writing or by
9 telegram within 48 hours of the receipt of the contribution and shall
10 set forth the amount and date of the contribution, the name and
11 mailing address of the contributor, and where the contributor is an
12 individual, the occupation of the individual and the name and
13 mailing address of the individual's employer. The notice of an
14 expenditure shall be filed in writing or by telegram within 48 hours
15 of the making, incurring or authorization of the expenditure and
16 shall set forth the name and mailing address of the person, firm or
17 organization to whom or which the expenditure was paid and the
18 amount and purpose of the expenditure.

19 (cf: P.L.2004, c.33, s.3)

20

21 2. This act shall take effect on January 1 following the date of
22 enactment.

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STATEMENT

26

27 This bill eliminates the requirements in current law that: 1) a
28 duplicate and certified copy of the campaign treasurers report of a
29 candidate for a legislative, local or school board elective office,
30 must be filed with the clerk of the county in which the candidate
31 resides; and 2) the county clerk must retain a written record of the
32 filing for at least four years following the date of the election.

33 If enacted, the bill will eliminate a duplicative requirement
34 imposed on candidates for a legislative, local and school board
35 elective office since the information is available currently from the
36 Election Law Enforcement Commission's website.